

SPECIAL CITY COUNCIL MEETING
MAY 20, 1996

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Dale Roper	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Darin Phelps	Millard Co. Chronicle/Progress
Evan Maxfield	Delta Area Chamber of Commerce
J.J. Davis	Boy Scout

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio stations, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Dekker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed corrected minutes of a Regular City Council Meeting held April 8, 1996 were presented for consideration and approval. The Council reviewed the minutes briefly, noting the word "not" should be deleted from paragraph 6 on page 4, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held April 22, 1996 were presented for consideration and approval. The

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Council reviewed the minutes briefly, after which Council Member Dale Roper MOVED that the minutes be tabled until City Attorney Richard Waddingham can make some changes to the portion on the North Delta Annexation. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held May 2, 1996 were presented for consideration and approval. Attorney Richard Waddingham requested that the minutes be tabled until some changes can be made, after which Council Member Robert Dekker MOVED that the minutes be tabled until changes are made. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Dekker MOVED that the accounts payable be approved for payment as listed in the amount of \$79,096.98. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

ATTORNEY RICHARD WADDINGHAM: AMENDMENT TO BUSINESS LICENSE ORDINANCE

No Council Action Taken.

NEW BUSINESS

MAYOR DON DAFOE: ADOPTION OF DELTA CITY 1996-1997 FY TENTATIVE BUDGET

Mayor Dafoe reviewed the tentative budget with the Council Members. The requested budget amount of \$2,040,433, which includes the general fund, capital projects, debt service and the water and sewer funds. The budget was prepared without any salary adjustments for city employees. This will be considered during the budget work session. The total amount of the Revenue Sharing has been put into street construction and material and will need to be adjusted during budget work session. No property tax increase is

anticipated for this budget; general sales taxes have increased. The budget work session will be held at 9:00 a.m. on Monday, June 3, 1996. Following the discussion Council Member Dale Roper MOVED that the Delta City 1996-1997 FY Tentative Budget be approved. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: FOURTH OF JULY GRAND MARSHALL OF THE DAY

Mayor Dafoe discussed the preparations for the Fourth of July Celebration. Jill Droubay and Liz Webb are Co-Chairpersons for the celebration. Evan Maxfield is the chairman for the parade. Bryce Ashby will take care of Fireworks. Karen Roper and Karen Burraston are doing the Miss Liberty contest. LeeAnn Church is doing the publicity and Lynne Jeffery is taking care of childrens games.

It was suggested that Thorpe and Norma Waddingham be Grand Marshall of the Day. Following brief discussion, Council Member Robert Droubay MOVED that Thorpe and Norma Waddingham be asked to be Grand Marshall of the Delta Centennial Fourth of July Celebration. The motion was seconded by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GLEN SWALBERG: DISCUSSION OF DELTA CITY BEAUTIFICATION

Council Member Glen Swalberg requested that he be allowed to yield to Delta Area Chamber of Commerce President Evan Maxfield and allow President Maxfield to make his presentation to the City Council.

DELTA AREA CHAMBER OF COMMERCE PRESIDENT EVAN MAXFIELD

President Maxfield addressed the City Council regarding the Millard County Historical and Informational Guide booklet, which he distributed to the Council Members. This booklet is a tourism guide to promote Millard County. Due to the increased cost of printing the booklet and the increasing number of copies required, the Chamber of Commerce would like a contribution of \$500 from both Delta and Fillmore to be used toward printing costs. Following brief discussion, Council Member Robert Dekker MOVED to make a \$500.00 contribution to the Delta Area Chamber of Commerce. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GLEN SWALBERG: DISCUSSION OF DELTA CITY
BEAUTIFICATION

Council Member Swalberg stated that this discussion is a follow-up to the original discussion at the last meeting where we talked about organizing a three person committee for beautification. He presented the following memo to council members:

TO: Delta City Council
FROM: Councilman Glen Swalberg
DATE: May 20, 1996 - City Meeting
SUBJECT: Proposal for Beautification Ordinance Enforcement and "Cleanup Committee Outline".

DELTA CITY - PROPERTY CLEANUP COMMITTEE - OUTLINE

SUGGESTED MEMBERS - Ruth Hansen, LuJean Draper, Lee Wankier, Bonnie Ivie, Leland Roper, Ann Marie Mankin.

SUGGESTED COMMITTEE CHAIRPERSON: Leland Roper

COMMITTEE OUTLINE & DUTIES

Committee members shall meet and organize themselves into assigned areas within Delta City Limits. Areas would be made up of contiguous blocks, under each member's direction. Member would observe and survey the various property lots, particularly vacant lots within their area boundary, looking for unsightly, extreme weed growth, trashed filled, old unused vehicles or junk filled properties, or lots that are completely run-down, littered with overgrowth, etc., receiving no care or maintenance whatsoever. These lots or properties should be identified by ownership, or general address, and with a polaroid picture (camera to be furnished) in possible.

The Area Committee Member, should notify the Chairman, or report findings to general committee at their regularly scheduled meeting, (monthly). The Chairman should review all reported properties before regular meeting. At such meeting committee members will decide the priority requirements of the properties, and the Chairperson will then submit the properties list to a designated member of the Delta City Council. This will conclude the responsibility of the committee in regards to the reported properties. As other Delta properties fall into disrepair or neglect, the procedure will be repeated as outlined above.

DELTA CITY COUNCIL FOLLOW UP

As the Delta City Council receives the reports on the unkept and neglected properties, a proper and legal notice would be sent to the property owner requesting they clean it up, giving them a deadline depending on the severity of the property's condition. If the deadline is not met, or if no progress has been made at the designated time, a 2nd attempt will be made by letter. If there is no response to either of the above, then the City Council will request our City Attorney to take legal action for cleanup costs from owner.

Also included with the memo was a sample letter to be sent to property owners.

Council Member Swalberg stated that this proposal was a suggestion only and could be changed in any way by the council. The individuals suggested as committee members have not been contacted.

Council members discussed various changes to the letter. In addition, Council Member Dale Roper suggested that guidelines should be given to committee members due to differing levels of cleanup expectations. Council Member Swalberg requested that other council members take the memo and proposed letter home and make changes to be discussed at the next meeting.

Following discussion, Council Member Robert Droubay MOVED to table the proposal for Delta City Beautification Ordinance Enforcement until the next City Council Meeting. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GLEN SWALBERG: DISCUSSION OF DIATOMACEOUS EARTH

Council Member Glen Swalberg reported to the Council the information he has received from diatomaceous earth people. Reports have been received from University of Utah, University of Washington, Utah Division of Air Quality, and Oregon State University. A copy of the reports was provided to Mayor Dafoe. All reports caution against the dangers of diatomaceous earth dust and all contain health warnings for employees of that type of business. The Division of Air Quality has rules and regulations on air quality. Counties rely heavily on the Environmental Protection Agency standards, who monitor the large corporations in our area. The Division of Air Quality is interested in monitoring smaller businesses who may be involved in any type of air emissions. The County Commission is supportive of the proposed diatomaceous earth production plant. Council Member Swalberg stated that he is not opposed to the production plant, but is opposed to the detrimental exposure of Delta citizens to the dust which will be emitted by the plant. County Commissioner John Henrie visited a diatomaceous

earth plant in Oregon and brought back video of the visit. The plant has a vacuum air filter system which cleans the dust in the area of the plant. The State of Utah Department of Air Quality would like to encourage Millard County to comply with their air quality regulations, and have provided a full report of what would be required for a diatomaceous earth plant in this area, in order to comply with state air quality standards. Council members discussed the report given by Council Member Swalberg and observed a demonstration of the dust in the air. Council Member Swalberg stated that he would like a resolution from Delta City to Millard County stating that we strongly suggest that, if this plant is approved, a State of Utah air quality control permit be required.

Evan Maxfield stated that he sells this product in his business, Steve Regan Co. sells it statewide. It is primarily used for around homes and gardens for insect control. Mr. Maxfield stated that the insecticide ingredient itself is milder than anything else he has sold in over twenty years of chemical handling. He believes that it is a mild insecticide and that the biggest concern would probably be worker safety. New chemical handling laws passed in 1995 were very strict in the area of worker safety. He believes that it is a good idea to check on the air quality standards and recognizes the concerns, even though he does not see it as a major hazard.

Following discussion, Council Member Glen Swalberg MOVED that Mayor Dafoe follow up on the discussion by verifying that any new incoming plant having a threat to air quality be required to come under the jurisdiction of the Utah air quality control. Council Member Roper stated a desire to know what effect this would have on the existing plants in the area; e.g. Continental Lime, Brush Wellman, IPSC, etc., who are currently under the control of the EPA. Council Member Robert Dekker SECONDED the motion, with the inclusion of determining the effect on existing plants. Mayor Dafoe stated that he would do some research on the matter and see what type of permits are required for this type of operation and the effect on existing industrial plants. Mayor Dafoe asked if there were any comments or questions regarding the motion, there being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: SCHEDULING PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE DELTA CITY 1996-1997 FY FINAL BUDGET

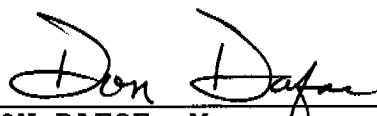
Mayor Dafoe reported that the final budget needs to be adopted by June 22nd, and the work session is scheduled for June 3, 1996. Council Member Dale Roper MOVED that the Public Hearing be set for June 10, 1996 at 6:30 p.m.. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Robert Droubay reported on the Main Street sign project. At the last city council meeting, a proposed letter to businesses soliciting donations for an electronic sign on Main Street was distributed to council members. Council Member Droubay asked for comment on the proposed letter or the businesses listed as organizations from which to solicit donations. He contacted Young Electric Sign last week and is waiting for proposals from them. All council members agreed that the letter should be sent to the businesses listed and should be signed by Mayor Dafoe.

Council Member Gayle Bunker questioned whether the water certificate has been received by the City. Attorney Waddingham stated that he has contacted the Division of Water Resources about every ten days. He will contact them again tomorrow and report back.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:40 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 06-10-96